



**COMMUNITY DEVELOPMENT DEPARTMENT  
BUILDING DIVISION**

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## **COMPARISON MATRIX FOR EXISTING AND NEW CONSTRUCTION**

### **PURPOSE**

This policy serves to clarify the distinction between remodel, rebuild, and new construction to establish the relevant code requirements applicable to a project.

### **CODE REFERENCES**

Cupertino Muni Code (CMC) [16.04.040](#), [16.40.140](#), [16.32.030](#), and [14.04.130](#)

### **DEFINITIONS**

**Demolition:** The complete removal of a building or structure, including its foundation. The site must be cleared of all debris before final inspection of the demolition permit.

**Partial Demolition:** The partial and permanent removal of a portion of a structure, with no intention of rebuilding the removed section.

**Exterior Walls:** The vertical structure providing weather protection, insulation, and/or structural support for a building.

**Exterior Wall Perimeter:** The measurement of the exterior wall length from one outside corner to another along the perimeter of a building, including attached garage(s). This measurement excludes walls and/or columns of patio covers, sunrooms, exterior porches, carports, and walls of detached garage(s).

**Roof Structure:** The roof framing system of a building, comprising elements like trusses, roof rafters, purlins, or sub-purlins, which collectively provide support and stability to the roof assembly.

**Remodel Area:** Rooms and/or areas where existing ceiling and/or wall finishes (i.e., sheetrock or similar) have been removed and/or replaced are defined as 'Remodel Area.' A room and/or area is considered remodeled when 10% or more of the combined wall and ceiling finish areas have been removed and/or replaced.

**Rebuild:** The building will be considered as 'Rebuild' where one of the following criteria is met:

- 1) 50% and up to 75% of the existing exterior wall perimeter are no longer used as exterior walls.
- 2) 50% and up to 75% of the existing exterior wall perimeter has been removed.
- 3) 50% and up to 75% of the existing roof structure has been removed.
- 4) More than 75% of the existing conditioned floor area is remodeled as defined above.

**New Construction:** The building will be considered ‘New Construction’ where one of the following criteria is met:

- 1) More than 75% of the existing exterior walls are no longer used as exterior walls.
- 2) More than 75% of the existing exterior walls has been removed.
- 3) More than 75% of the existing roof structure has been removed.

**Note:** When a project at an existing building is defined as ‘New Construction’, a separate [Demolition Permit](#) shall be required.

**POLICY**

The following matrix specifies the requirements for projects defined as Demolition, Partial Demolition, Remodel, Rebuild, and New Construction.

	PROJECT SCOPE				
	Demolition	Partial Demolition	Remodel	Rebuild	New Construction
<b>Permit Type</b>	Demolition Permit	Demolition Permit	Building Permit	Building Permit	Building Permit
<b>PCB Assessment and Mitigation</b>	Applies	Applies	Not Applicable	Not Applicable	Not Applicable
<b>School Fees</b>			Remodel Area is NOT considered added floor area.	Rebuild Area is NOT considered added floor area.	New Area is considered added floor area.
<b>Construction Tax</b>			Not Applicable	Not Applicable	Applies
<b>CalGreen</b>			Not Applicable	Applies	Applies
<b>Fire Sprinklers</b> (CMC 16.06.040 & CMC 16.40.140)			Not Applicable	Applies	Applies
<b>Reach Codes</b> (CMC 16.32.030)			Not Applicable	Not Applicable	Applies
<b>Wildland Urban Interface</b>			Not Applicable	Applies	Applies
<b>Street Dedication</b> (CMC 14.04.130)			Not Applicable	<a href="#">Refer to CMC 14.04.230</a>	Applies